

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q74854

Yoshinori SEKIGUCHI, et al.

Appln. No.: 10/551,431

Group Art Unit: 1624

Confirmation No.: 1607

Examiner: TRUONG, TAMTHOM NGO

Filed: August 24, 2006

For: NOVEL QUINAZOLINE DERIVATIVES AND METHODS OF TREATMENT
RELATED TO THE USE THEREOF

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Restriction Requirement, dated October 1, 2009. In response to the Restriction Requirement, Applicant elects Group I. This election is made with traverse.

Applicants traverse the restriction requirement based on the grouping of the claims.

Applicants submit that the Examiner's allocation of the claims to each group is not correct. In this connection, Applicants provide the following Table summarizing the claim number, definition of variables and correct allocation of the claims to each Group.

claim structure					Restriction Requirement	
		Q	L	Y	Y group	Group
Claim 1-2		all	all	all	all	all
Claim 3		IIc	all	all	all	all
Claim 4-9		IIc	V	-C(O)NR ₇ -	(i)	I
Claim 10-15		IIc	V	-C(S)NR ₇ -	(i)	I
Claim 16-18		IIc	V	-C(O)O-	(i)	I
Claim 19-22		IIc	VIII, IX	a single bond, -CH ₂ -	(ii)	II
Claim 23-27		IIc	XIII	-C(O)NR ₇ -, -C(O)NH-	(i)	IV
Claim 28-29		IIc	XIII	-C(O)O-, -OC(O)-	(i) and (iv)	IV and VI
Claim 30-33		IIc	VIII, IX	-C(O)-	(iii)	II
Claim 34		IIa	all	all	all	all
Claim 35-38		IIa	V	-C(O)-	(ii)	II
Claim 39-42		IIa	XIII	-C(O)NR ₇ -, -C(O)NH-	(i)	IV
Claim 43		IIb	all	all	all	all
Claim 44-46		IIb	XIII	-C(O)NR ₇ -, -C(O)NH-	(i)	IV
Claim 47	Intermediate					
Claim 48-57	Indication etc				all	all

Thus, Applicants consider that the claims should be grouped as follows:

- Group I: Claims 1-18, 34, 43, and 48-57;
- Group II: Claims 1-3, 19-22, 30-38, 43 and 48-57;
- Group III: Claims 1-3, 34, 43, and 48-57;
- Group IV: Claims 1-3, 23-29, 39-42, 44-46, and 48-57;
- Group V: Claims 1-3, 34, 43, and 48-57;
- Group VI: Claims 1-3, 28-29, 34, 43 and 48-57;
- Group VII: Claim 47; and
- Group VIII: Claims 49-57

As noted above, Applicants elect Group I, drawn to claims 1-18, 34, 43 and 48-57 based on the corrected allocation of the claims to each group.

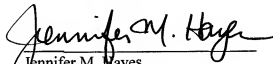
As the elected species compound, Applicants elect: 1-(2,6-dichloro-phenyl)-3-[*cis*-4-(4-dimethylamino-quinazolin-2-ylamino)-cyclohexylmethyl]-urea hydrochloride, found in Example 3 at page 121 of the instant specification for examination. The compound is recited in claims 8 and 9 as a free urea compound in a different nomenclature as "N-...-N' -...". See for example, claim 8 at page 69, the third compound from the bottom of the page and claim 9, the last compound at page 83 of the specification as filed.

Claims 1-9, 34 and 48-57 read on the elected species.

Applicant reserves the right to file a Divisional Application directed to non-elected subject matter.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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CUSTOMER NUMBER

Date: November 2, 2009